

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOZEF DE JONGE AND SONJA DE JONGE,

Plaintiffs,

-against-

AIMCO 240 WEST 73RD STREET, LLC, AIMCO 240,  
WEST 73RD STREET CO-OWNER, LLC, WOOGO  
NY, L.P. AND GLOBAL HOTELS, INC.,

Defendants.

-X

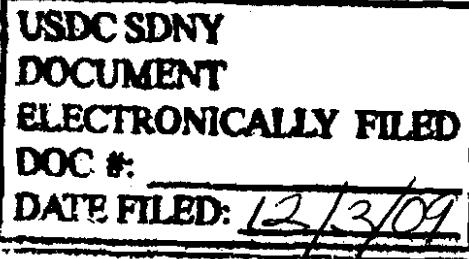
**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the annexed Affirmation of Erik C. DiMarco, Esq, affirmed on November 3, 2009, 2009, the exhibits annexed thereto and the accompanying Memorandum of Law in Support, defendants AIMCO 240 WEST 73<sup>RD</sup> STREET LLC and AIMCO 240 WEST 73<sup>RD</sup> STREET CO-OWNER LLC, ("AIMCO") will move this Court at the United States Courthouse located at 500 Pearl Street, New York, NY 10007, on the 3<sup>rd</sup> day of December, 2009 at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an Order pursuant to Fed. R. Civ. P. 14(a) granting AIMCO leave to serve and file a Third-Party Complaint sounding in breach of contract and indemnification, against WOOGO NY L.P. and GLOBAL HOTELS, INC., and for such other and further relief as this Court deems just and proper.

Motion granted. For oral opinion, see record of proceedings.

So ordered.

3619142.1



Civil Action

08 CV 5212  
(Cedarbaum, J.)

United States District Judge  
December 3, 2009

RESPECTFULLY SUBMITTED.

Dated: New York, New York  
November 3, 2009

Yours, etc.

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By:

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